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Our Ref: SP/214969

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Submitted via Planning Portal ref: PP-12606496

Dear Mr Simmonds,

RE: Section 73 (S73) application to vary Reserved Matter permission ref H14-0164-21 in pursuant of Outline planning permission ref: H14-0720-18 for residential development of up to 96 dwellings at Land at Wardentree Lane, Pinchbeck.

I write on behalf of my client, Bellway Homes (Eastern Counties), in connection with the above permissions on land at Wardentree Lane, Pinchbeck (known as Pinchbeck Fields).

Bellway Homes are submitting a S73 application to amend the existing Reserved Matters consent (ref: H14-0165-21 dated 12 January 2022) for the Pinchbeck Fields Development. The proposed amendments are within the red line boundary of the Reserved Matters permission and does not require amendments to the approved description of development.

The proposed amendment relates to an additional highway access, in the form of an adoptable bellmouth onto Wardentree Lane to serve the eastern half of the development. The approved access will be retained and serve the western half of the development (53 plots). The plots on the western half of the site which are separated by the main open space area are in the construction process. This S73 application will therefore seek to ensure that Bellway have an available solution to deliver the remaining 43 residential units, which are currently at risk due to the ongoing uncertainty associated with agreeing an acceptable technical design for the internal road crossing, which passes above a High-Pressure Gas Pipeline running through the site. Alongside the introduction of a new access, the internal road layout between the two halves of the site is proposed to be amended which essentially severs the road linkage between the two sides of the site. A 3 metre wide shared path will be provided to enable future occupiers to access both sides of the site.

Bellway have been engaging with Cadent Gas since late 2020, as well as working alongside specialist consultants to develop a design solution to facilitate the road crossing which results in an increase in stresses imposed on the gas pipeline. Several options have been developed to date which have not been accepted by Cadent Gas, who own and manage the asset. Bellway are continuing to develop an alternative solution which addresses Cadent's concerns and the site-specific challenges of poor ground conditions, complex pipeline geometry and asset condition, which have ultimately caused a significant delay in programme. Although Cadent have provided some initial acceptance

of the latest solution, there are still multiple risks which need to be addressed ahead of Cadent approving the design, some of which rely on additional in-situ investigation of the pipeline asset and are outside of Bellway's control.

The application for an additional site access will ensure the remaining residential units can ultimately be delivered, should ongoing discussions to agree an acceptable vehicle crossing solution with Cadent not be deliverable.

It is therefore necessary in order to facilitate the comprehensive development of the site to have a viable alternative solution if an acceptable design solution cannot be found/agreed with Cadent. The proposed amendments to the site layout would not be *substantially different* (Levelling-up and Regeneration Act 2023, Chapter 4, 110 Material variations in planning permission, 73B(5)) to the overall layout that was approved under the Reserved Matters permission. This approach would give Bellway flexibility to implement either the approved layout, and if this is not possible, an alternative layout, which would not affect or prejudice the delivery or layout of the western side of the site. Bellway have met with the Lincolnshire County Council Highways Authority to agree the proposed access design works from a highway safety perspective.

Also, the description of development under the Outline planning permission was for "Proposed residential development of up to 96 dwellings" and did not include access. The details of the access were required to be provided at the reserved matters under condition 3. The details were submitted and approved as part of the Reserved Matters application. This S73 application is therefore seeking to amend the approved layout plans contained in Condition 1 of the Reserved Matters permission. A list of the proposed amended layout plans (including highway and drainage plans) are contained in the document register that accompanies this submission. We are also seeking to amend the approved landscape plans are referenced in Condition 7 for consistency. Also included with this application is the Council's Information Checklist form and the decision notices for the Outline and Reserved Matters permissions for ease of referencing. If any further information is required to consider this application then please do not hesitate to contact me.

I trust that the proposed approach being taken – to deal with the proposed amendments via a S73 application – is acceptable and we would welcome the opportunity to discuss the process with the case officer in more detail to ensure we have captured everything that is necessary to enable an early/smooth process.

In the meantime, therefore, look forward to receiving your acknowledgement and validation of this application.

Yours sincerely



Sav Patel
Associate Director
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